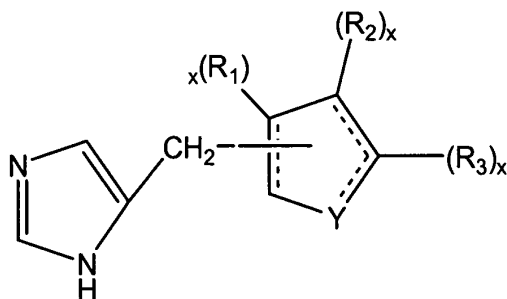


and



in which each x is independently 1 or 2;

each R₁ is independently selected from the group consisting of H; halogen; C₁₋₄ alkyl; C₁₋₄ alkenyl; C₁₋₄ alkynyl; --COR₄ where R₄ is H, C₁₋₄ alkyl or C₁₋₄ alkoxy; C₃₋₆ cycloalkyl; aryl; heteroaryl; cyano; nitro; trihalomethyl; oxo; or --(CH₂)_n-X-(CH₂)_m-(R₅)_o where X is O, S or N, n is 0-3, m is 0-3, o is 0-1, and R₅ is methyl or H₁₋₂;

each R₂ and each R₃ are independently selected from the group consisting of H; halogen; C₁₋₄ alkyl; C₁₋₄ alkenyl; C₁₋₄ alkynyl; --COR₄ where R₄ is H, C₁₋₄ alkyl or C₁₋₄ alkoxy; C₃₋₆ cycloalkyl; aryl; heteroaryl; cyano; nitro; trihalomethyl; oxo; or --(CH₂)_n-X-(CH₂)_m-(R₅)_o where X is O, S or N, n is 0-3, m is 0-3, o is 0-1, and R₅ is methyl or H₁₋₂; or an R₂ and an R₃ together consist of a saturated, partly saturated, or unsaturated ring structure having the formula --(C(R₆)_p)_q-X_s-(C(R₆)_p)_r-X_t-(C(R₆)_p)_u where each R₆ is independently selected from the group consisting of H; halogen; C₁₋₄ alkyl; C₁₋₄ alkenyl; C₁₋₄ alkynyl; --COR₄ where R₄ is H, C₁₋₄ alkyl or C₁₋₄ alkoxy; C₃₋₆ cycloalkyl; aryl; heteroaryl; cyano; nitro; trihalomethyl and oxo where each p is independently 1 or 2, q is 0-5, r is 0-5, u is 0-5; each X is independently O, S, or N and s is 0 or 1; provided that q + r + u + s + t is less than 6;

Y is selected from the group consisting of O; S; N; --(C(R₇)_z)_s—where each R₇ is independently as previously defined for R₁, each z is independently 1-2, and s is 1-3; --CH=; --CH=CH--; or Y₁CH₂—where Y₁ is O, N, or S; and the dotted lines are optional double bonds, with the proviso that if the ring including Y is a cyclohexane ring or a heterocyclic 5 member ring said ring is not fully unsaturated, and that if Y is O, N or S, the ring including Y contains at least one said double bond,

B1
cont

said compound further having selective agonist activity at the $\alpha 2B$ or $\alpha 2B/\alpha 2C$ adrenergic receptor subtype(s) over the $\alpha 2A$ adrenergic receptor subtype, or all pharmacologically acceptable salts, esters, stereoisomers or racemic mixtures thereof.

B1
concl

2. (Twice Amended) The compound of claim 1 in which the ring including Y has either a single double bond or no double bond, except that when an R_2 and an R_3 together consist of a saturated, unsaturated or partly saturated ring structure said Y-including ring optionally shares an additional double bond with said condensed ring, provided Y is not S, O, or N.
-

9. (Twice Amended) The compound of claim 2, in which each R_2 and each R_3 are independently selected from the group consisting of: H; C_{1-4} alkyl; C_{1-4} alkenyl; C_{1-4} alkynyl; halide; trihalomethyl; cycloalkyl; $(CH_2)_n-X-(CH_2)_m-(R_5)_o$, where X is O, S or N, n is 0-3, m is 0-3, o is 0-1, and R_5 is methyl or H_{1-2} ; or an R_2 and an R_3 together consist of a saturated, partly saturated, or unsaturated ring structure having the formula $-(C(R_6)_p)_q-X_s-(C(R_6)_p)_r-X_t-(C(R_6)_p)_u$ where each R_6 is independently selected from the group consisting of H; halogen; C_{1-4} alkyl; C_{1-4} alkenyl; C_{1-4} alkynyl; $--COR_4$ where R_4 is H, C_{1-4} alkyl or C_{1-4} alkoxy; C_{3-6} cycloalkyl; aryl; heteroaryl; cyano; nitro; trihalomethyl; and oxo where each p is independently 1 or 2, q is 0-4, r is 0-4, u is 0-4; each X is independently O, S, or N, s is 0 or 1, and $q + s + r + t + u = 3$ or 4.

B2

10. (Twice Amended) The compound of claim 3, in which each R_2 and each R_3 are independently selected from the group consisting of: H; C_{1-4} alkyl; C_{1-4} alkenyl; C_{1-4} alkynyl; halide; trihalomethyl; cycloalkyl; $(CH_2)_n-X-(CH_2)_m-(R_5)_o$, where X is O, S or N, n is 0-3, m is 0-3, o is 0-1, and R_5 is methyl or H_{1-2} ; or an R_2 and an R_3 together consist of a saturated, partly saturated, or unsaturated ring structure having the formula $-(C(R_6)_p)_q-X_s-(C(R_6)_p)_r-X_t-(C(R_6)_p)_u$ where each R_6 is independently selected from the group consisting of H; halogen; C_{1-4} alkyl; C_{1-4} alkenyl; C_{1-4} alkynyl; $--COR_4$ where R_4 is H, C_{1-4} alkyl or C_{1-4} alkoxy; C_{3-6} cycloalkyl; aryl; heteroaryl; cyano; nitro; trihalomethyl; and oxo where each p is independently 1 or 2, q is 0-4, r is 0-4, u is 0-4; each X is independently O, S, or N, s is 0 or 1, and $q + s + r + t + u = 3$ or 4.
-

71. (Twice Amended) The compound of claim 53 in which an R₂ and an R₃ together consist of a saturated, partly saturated, or unsaturated ring structure having the formula – (C(R₆)_p)_q–X_s–(C(R₆)_p)_r–X_t–(C(R₆)_p)_u where each R₆ is independently selected from the group consisting of H; halogen; C₁₋₄ alkyl; C₁₋₄ alkenyl; C₁₋₄ alkynyl; –COR₄ where R₄ is H, C₁₋₄ alkyl or C₁₋₄ alkoxy; C₃₋₆ cycloalkyl; aryl; heteroaryl; cyano; nitro; trihalomethyl; and oxo where each p is independently 1 or 2, q is 0-4, r is 0-4, u is 0-4; each X is independently O, S, or N, s is 0 or 1, and q + s + r + t + u = 3 or 4.

REMARKS

Applicant notes that claim 109, added by amendment in the communication, stands unrejected. Applicants thank the Examiner for so indicating. Applicants also note that the Examiner has withdrawn the 35 USC §102 rejection; Applicants thank the Examiner for this.

Rejection of Claims 1-108 Pursuant to 35 USC 112(2)

The Examiner has rejected claims 1-108 as allegedly failing to define the invention.

The Examiner has indicated that the language “and all pharmacologically acceptable . . . or racemic mixtures” must be changed to substitute the word “or” for the word “and”. The Examiner has also asked that the words “together comprise” be changed to “together consist of”. Applicants have made these amendments.

The Examiner has also found the terms: “esters” indefinite. The Examiner has said that “esters” can include esters other than carboxylic acids. While Applicants agree that most esters of drugs are carboxylic acid derivatives, Applicants actually mean and intend to claim all pharmacologically acceptable esters of the claimed compounds, as claimed. The fact that other esters, such as arsenic acids, might not be pharmacologically acceptable means that they fall outside the claimed subject matter. Moreover, it is extremely common for patents to validly claim “esters” of generically or specifically claimed compounds. Therefore, Applicants respectfully request reconsideration and withdrawal of this rejection.

All claims are dependent upon claim 1. Claim 1 contains the proviso that “if the ring containing Y is a cyclohexane ring or a heterocyclic 5-member ring, said ring is not fully unsaturated”.